



05-11-07

JFW
SPATENT

Attorney Docket No. 5051-338CTDV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.
Serial No.: 10/748,789
Filed: December 30, 2003
For: *Regulation of Quinolate Phosphoribosyl Transferase Expression*

Confirmation No. 9424
Examiner: R. Kallis
Group Art Unit: 1638

Date: May 10, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(c)

Sir:

Attached is a list of documents, together with a copy of any listed foreign patent document and/or non-patent literature. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the amendment by the U.S. Patent and Trademark Office to 37 C.F.R. § 1.98(a)(2)(ii) effective October 21, 2004.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier.

In accordance with the requirements of 37 C.F.R. § 1.97(c)(2), the Commissioner is authorized to charge Deposit Account No. 50-0220 in the amount of \$180.00 as fee specified in 37 C.F.R. § 1.17(p). This amount is believed to be correct. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

05/14/2007 RABDOF01 0000006 500220 10748789

01 FC:1806 180.00 DA

Respectfully submitted,

Mary L. Miller
Registration No. 39,303

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

"Express Mail" mailing label number: EV887525479US

Date of Deposit: May 10, 2007

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /RK/

MAY 10 2007

U.S. PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2 F

Complete if Known

Application Number	10/748,789
Filing Date	December 30, 2003
First Named Inventor	Conkling et al.
Group Art Unit	1638
Examiner Name	R. Kallis
Attorney Docket Number	5051-338CTDV

U.S. PATENTS AND PATENT PUBLICATIONS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	1.	US-2,479,526		Touton	08/1949
	2.	US-254,285		Forest	02/28/1882
	3.	US-2,728,603		Helijo	08/1955
	4.	US-299,541		Hearn	06/13/1884
	5.	US-3,840,025		Fowler et al.	10/08/1974
	6.	US-3,905,123		Fowler et al.	09/16/1975
	7.	US-4,094,324		Bolsinger et al.	06/13/1978
	8.	US-4,192,323		Home	03/11/1980
	9.	US-4,243,056		de la Burde et al.	01/06/1981
	10.	US-4,319,587		Moser	03/16/1982
	11.	US-4,372,208		Legardinier	02/08/1983
	12.	US-4,459,355		Cello et al.	07/10/1984
	13.	US-4,499,911		Johnson	02/19/1985
	14.	US-4,617,945		Vos et al.	10/21/1986
	15.	US-4,699,158		Sprinkel	10/13/1987
	16.	US-4,700,725		Geiszler	10/20/1987
	17.	US-4,766,911		Oglesby	08/30/1988
	18.	US-4,795,855		Filatt et al.	01/03/1989
	19.	US-4,821,747		Stuhl et al.	04/1989
	20.	US-4,835,162		Abood	05/30/1989
	21.	US-4,966,916		Abood	10/30/1990
	22.	US-4,990,607		Kataqiri et al.	02/05/1991
	23.	US-5,015,580		Christou et al.	05/14/1991
	24.	US-5,062,434		Aulbach et al.	11/05/1991
	25.	US-5,109,876		Hayden et al.	05/05/1992
	26.	US-5,223,419		Kataqiri et al.	06/29/1993
	27.	US-5,268,463		Jefferson	12/07/1993
	28.	US-5,377,697		Deutsch et al.	01/03/1995
	29.	US-5,394,894		Zade	03/07/1995
	30.	US-5,432,081		Jefferson	11/07/1995
	31.	US-5,540,242		Chao et al.	07/30/1996
	32.	US-5,599,670		Jefferson	02/04/1997
	33.	US-5,626,152		Davis et al.	05/06/1997
	34.	US-5,685,710		Martinez Sagrera et al.	11/11/1997
	35.	US-5,780,051		Eswara et al.	07/14/1998
	36.	US-5,792,922		Moloney	08/11/1998
	37.	US-5,796,500		Hart	08/18/1998
	38.	US-5,803,081		O'Donnell et al.	09/1998
	39.	US-5,810,020		Northway et al.	09/1998
	40.	US-5,819,751		Barnes et al.	10/13/1998
	41.	US-5,830,318		Snow et al.	11/03/1998
	42.	US-5,845,647		O'Donnell	12/1998
	43.	US-5,862,750		Dell'Olmo	01/26/1999
	44.	US-6,020,969		Struckhoff et al.	02/01/2000
	45.	US-6,135,121		Williams	10/2000
	46.	US-6,153,811		Lowe et al.	11/2000
	47.	US-6,166,032		Viner	12/26/2000

Examiner Signature

/Russell Kallis/

Date Considered

03/12/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /RK/

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2

of 2



Complete if Known

Application Number	10/748,789
Filing Date	December 30, 2003
First Named Inventor	Conkling et al.
Group Art Unit	1638
Examiner Name	R. Kallis
Attorney Docket Number	5051-338CTDV

48.	US-6,191,258	Lamb et al.	02/20/2001
49.	US-6,197,827	Cary	03/06/2001
50.	US-6,202,649	Williams	10/2000
51.	US-6,265,638	Bidney et al.	07/2001
52.	US-6,279,475	Cardoso	08/28/2001
53.	US-6,303,847	Kawaoka et al.	10/2001
54.	US-6,425,401	Williams	07/2002
55.	RE 38,123	Williams	05/2003
56.	US-6,350,479	Williams et al.	02/2002
57.	US-6,557,560	Kastner	05/06/2003
58.	US-6,584,981	Hampf, Jr.	07/01/2003
59.	US2002/0174874	Williams	11/2002

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation
		Office	Number	Kind Code (if known)			
60.	WO 99/13085				Cambia Biosystems LLC	03/18/1999	
61.	WO 00/055333				Center for the Application of Molecular Biology to International Agriculture	09/21/2000	
62.	WO 02/100199				Vector Tobacco Ltd.	12/19/2002	
63.	WO 05/018307				22 nd Century Limited, LLC	03/03/2005	
64.	DE 1,917,552				R.J. Reynold Tobacco Company	4/1/1969	
65.	DE 2,203,105				Reynolds Leasing Corp.	01/20/1972	

OTHER NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
66.	Brunnemann et al. "Assessment of Carcinogenic Volatil N-Nitrosamines in Tobacco and in Mainstream and Sidestream Smoke from Cigarettes" <i>Cancer Research</i> 37:3218-3222 (1977)		
67.	Collins et al. "Use of Anther-Derived Haploids in <i>Nicotiana</i> . I. Isolation of Breeding Lines Differing in Total Alkaloid Content" <i>Crop Sci.</i> 14:77-80 (1974)		
68.	Copy of International Search Report for International Application No. PCT/US04/29953 dated November 4, 2005		
69.	Higo et al. "Plant cis-acting regulatory DNA elements (PLACE) database: 1999" <i>Nucleic Acids Research</i> 27:297-300 (1999)		
70.	Leete et al. "Biosynthesis and Metabolism of the Tobacco Alkaloids" in <i>Alkaloids: Chemical and Biological Perspectives</i> , S.W. Pelletier, ed. John Wiley & Sons, pp. 85-152 (1983)		
71.	Legg et al. "Inheritance of Per Cent Total Alkaloids in <i>Nicotiana Tabacum</i> L. II Genetic Effects of Two Loci in Burley 21 X LA Burley 21 Populations" <i>Can J Genet Cytol.</i> 13:287-91 (1971)		
72.	Rombauts et al. "PlantCARE, a plant cis-acting regulatory element database" <i>Nucleic Acids Research</i> 27:295-296 (1999)		
73.	Schroth et al. "Tobacco-Specific Nitrosamines," Research and Development, Neuchatel-Quarterly Report, pp. 1-8, April-June 1994		
74.	Shillito et al. "Direct Gene Transfer to Protoplasts of Dicotyledonous and Monocotyledonous Plants by a Number of Methods, Including Electroporation" <i>Methods Enzymol.</i> 153:313-36 (1987)		
75.	Watson "Nicotine free and flavorful too" in The Buffalo News, p. A9 and p.A15, September 7, 1997 (newspaper article)		

Examiner Signature	/Russell Kallis/	Date Considered	03/12/2008
--------------------	------------------	-----------------	------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /RK/